

APPENDIX A

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---------------------------------------|---|---------------|
| DAWN ELAINE, for herself and a class, | : | 2:15CV1271 WB |
| | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | |
| | : | |
| CREDIT CONTROL LLC, | : | |
| LVNV FUNDING LLC, | : | |
| RESURGENT CAPITAL SERVICES LP, | : | |
| and ALEGIS GROUP LLC, | : | |
| | : | |
| Defendants. | : | |

PLAINTIFF'S FIRST SET OF DISCOVERY REQUESTS

Dawn Elaine requests that each defendant respond to the following set of requests for admission, interrogatories and document production requests:

REQUESTS FOR ADMISSION

1. Credit Control LLC owned, or otherwise controlled, a post office box that had a mailing address of P.O. Box 1945, Southgate, MI 48195-0945.
2. It is standard practice for return addresses to appear in the top left corner of the envelope in which it is mailed.
3. The bar code which appears above the mailing address of P.O. Box 1945, Southgate, MI 48195-0945, as shown in Exhibit A (which is also Exhibit A to the complaint in this case), was placed there by Credit Control LLC.
4. The bar code which appears above the mailing address of P.O. Box 1945, Southgate, MI 48195-0945, as shown in Exhibit A (which is also Exhibit A to the complaint in this case), was placed there in order to facilitate processing of the letter during the mailing process, as it was being mailed to Dawn Elaine.
5. Exhibit B (which is also Exhibit B to the complaint in this case) bears a postmark which bears the zip code 48195, which is the zip code for the post office in

Southgate, Michigan.

6. The mailing envelope represented by Exhibit B, or a envelope with the same basic format (including in particular the openings in the front of the envelope, and the printed security pattern that is visible through them) is used by Credit Control LLC to send letters to alleged debtors from whom it is attempting to collect debts.

7. The bar code which appears above the mailing address for Dawn Elaine of Glenside, Pennsylvania, as shown in Exhibit A (which is also Exhibit A to the complaint in this case, and which is redacted to remove her street address and zip code), was placed there by Credit Control LLC.

8. The bar code which appears above the mailing address for Dawn Elaine of Glenside, Pennsylvania, as shown in Exhibit A (which is also Exhibit A to the complaint in this case, and which is redacted to remove her street address and zip code), was placed there in order to facilitate processing of the letter during the mailing process, as it was being mailed to Dawn Elaine.

9. Letters in the general form of Exhibit A are used by Credit Control LLC to collect on debts from consumers other than Dawn Elaine, with details about the particular alleged debt, and alleged debtor, changing from letter to letter.

10. The code appearing at the bottom right corner of Exhibit A – “RSFGSPLL” – is a code used by Credit Control LLC to identify the form letter, and to distinguish it from other debt collection letters it uses to collect on consumer debts.

11. Before letters in the general form of Exhibit A were mailed to alleged debtors in order to collect on debts allegedly owed to LVNV Funding LLC, a draft of the letter was sent to LVNV Funding LLC for review.

12. Before letters in the general form of Exhibit A were mailed to alleged debtors in order to collect on debts allegedly owed to LVNV Funding LLC, a draft of the

letter was sent to Resurgent Capital Services LP for review.

13. Before letters in the general form of Exhibit A were mailed to alleged debtors in order to collect on debts allegedly owed to LVNV Funding LLC, a draft of the letter was sent to Alegis Group LLC for review.

14. Dawn Elaine's account number with Credit Control LLC, as to the debt described in Exhibit A, ended in 2800.

15. There are more than 40 individuals with Pennsylvania addresses to whom Credit Control LLC sent a letter, in a window envelope, that displayed an account number above the address, which was sent between March 11, 2014 and March 31, 2015, in an attempt to collect on a debt owed either to Resurgent Capital Services LP or LVNV Funding LLC. In responding, you should rely upon information contained within your own records and knowledge, as it relates to debts that you either owned or were assigned for collection.

16. There are more than 100 individuals with Pennsylvania addresses to whom Credit Control LLC sent a letter, in a window envelope, that displayed an account number above the address, which was sent between March 11, 2014 and March 31, 2015, in an attempt to collect on a debt owed either to Resurgent Capital Services LP or LVNV Funding LLC. In responding, you should rely upon information contained within your own records and knowledge, as it relates to debts that you either owned or were assigned for collection.

17. There are more than 1,000 individuals with Pennsylvania addresses to whom Credit Control LLC sent a letter, in a window envelope, that displayed an account number above the address, which was sent between March 11, 2014 and March 31, 2015, in an attempt to collect on a debt owed either to Resurgent Capital Services LP or LVNV Funding LLC. In responding, you should rely upon information contained within your

own records and knowledge, as it relates to debts that you either owned or were assigned for collection.

18. The net worth of the defendant responding to these requests exceeds \$1,000,000.

19. The net worth of the defendant responding to these requests exceeds \$10,000,000.

20. The net worth of the defendant responding to these requests exceeds \$50,000,000.

INTERROGATORIES

1. As to any response to the Requests for Admission, please explain each response that is not an unqualified admission, and identify any documents supporting such responses.

2. Please identify all of your employees who have knowledge of the letter in the form of Exhibit A; for each, please state their name, business address, and job title.

3. Please state the fields or categories (*e.g.*, state of residence, date of last payment, date of default, amount owed, amount collected, etc.) on which information possessed by you as to debts you own, or attempt to collect, can be searched electronically.

4. Please state the number of individuals with Pennsylvania addresses to whom Credit Control LLC sent a letter, in a window envelope, that displayed an account number above the address, which was sent between March 11, 2014 and March 31, 2015, in an attempt to collect on a debt owed either to Resurgent Capital Services LP or LVNV Funding LLC – as well as each person’s name and last known address. In responding, you should rely upon information contained within your own records and knowledge, as it relates to debts that you either owned or were assigned for collection.

the person who made the communication; the identification of each person who received the communication and of each person present when it was made; and the subject matter discussed.

- (G) “Communication” includes every manner or means of disclosure, transfer, or exchange of information, and every disclosure, transfer or exchange of information, whether orally or by document or whether face-to-face, by telephone, mail, personal delivery, or otherwise.
- (H) “Relates” includes “constitutes,” “describes,” “discusses,” “refers to,” “logically pertains to,” and “reflects.”
- (I) The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders. The past tense includes the present tense where the clear meaning is not distorted by change of tense.

PLEASE CONTACT THE UNDERSIGNED IMMEDIATELY WITH ANY QUESTIONS YOU MAY HAVE.

/s/ Carlo Sabatini
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CERTIFICATE OF SERVICE

I certify that Ronald Metcho II (Marshall Dennehey Warner Coleman & Goggin PC, 2000 Market Street #2300, Philadelphia PA 19103; rmmetcho@mdwcg.com), counsel for defendants was served with this document on July 7, 2015 by mail and e-mail.

/s/ Thomas E. Soule
Thomas E. Soule